

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**FUJIAN HONGAN ELECTRIC CO., LTD. AND  
ZHEJIANG TRIMONE ELECTRIC SCIENCE &  
TECHNOLOGY CO., LTD.,**

*Appellants,*

**v.**

**INTERNATIONAL TRADE COMMISSION,**

*Appellee,*

**AND**

**LEVITON MANUFACTURING CO., INC.,**

*Intervenor.*

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2012-1493

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On appeal from the United States International Trade  
Commission in Investigation No. 337-TA-739.

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**ON MOTION**

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Before BRYSON, MOORE, and O'MALLEY, *Circuit Judges*.  
O'MALLEY, *Circuit Judge*.

**O R D E R**

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Fujian Hongan Electric Co., Ltd. and Zhejiang Trimone Electric Science & Technology Co., Ltd. (collectively, Fujian) move for a stay, pending disposition of this appeal, of the remedial orders entered by the United States International Trade Commission. The International Trade Commission and Leviton Manufacturing oppose. Fujian replies.

To obtain a stay, pending appeal, a movant must establish a strong likelihood of success on the merits or, failing that, nonetheless demonstrate a substantial case on the merits provided that the harm factors militate in its favor. *Hilton v. Braunskill*, 481 U.S. 770, 778 (1987). In deciding whether to grant a stay, pending appeal, this court "assesses the movant's chances of success on the merits and weighs the equities as they affect the parties and the public." *E. I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 835 F.2d 277, 278 (Fed. Cir. 1987). See also *Standard Havens Prods. v. Gencor Indus.*, 897 F.2d 511 (Fed. Cir. 1990).

Based on the arguments in the motions papers, and without prejudicing the ultimate disposition of this case by a merits panel, we determine that Fujian has not met its burden to obtain a stay of the injunction.

Accordingly,

IT IS ORDERED THAT:

The motion is denied.

FOR THE COURT

SEP 20 2012

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

**FILED**  
**U.S. COURT OF APPEALS FOR**  
**THE FEDERAL CIRCUIT**

**SEP 20 2012**

**JAN HORBALY**  
**CLERK**

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